

EXHIBIT C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PALM BEACH DIVISION

JTC SKYWAVE INVESTMENTS LTD,
and HARALD McPIKE,

Plaintiffs,

CASE NO. 9:24-cv-80499-RLR

v.

ANDREW N. MART, DEANNA BOIES,
LUMINESCENCE LLC, LUMINESCENCE
LLC, AND LUMINASTRA LLC,

Defendants.

_____ /

DECLARATION OF FRANK E. WALWYN

I, **FRANK E. WALWYN**, being of legal age and sound mind, pursuant to Fla. Stat. § 92.525, hereby declare as follows:

A. Qualifications

1. I am a litigation partner at WeirFoulds LLP in Toronto, Ontario, Canada. I have practised law at WeirFoulds LLP my entire professional life. I am a Fellow of the American College of Trial Lawyers. In 2019, I was awarded a Law Society Medal, the highest honour bestowed by the Law Society of Ontario, the regulatory body that governs lawyers in Ontario.

2. I was called to the Bar of Ontario in 1995. I hold a Certificate of Legal Education from the Eugene Dupuch Law School in The Bahamas. I was called to the Bar of St Christopher (St Kitts) and Nevis in 2000. I am also a member in good standing of the Bars of Anguilla, Antigua and Barbuda, Barbados, Belize, the British Virgin Islands, Dominica, Grenada, Jamaica, and Saint Lucia.

3. I frequently give advice on, and litigate, legal issues arising out of complex multi-jurisdictional corporate disputes in the Commonwealth Caribbean, including in St Kitts and Nevis. My advocacy covers a wide range of matters including multi-jurisdictional corporate disputes often involving shareholder rights and directors' duties, forensic investigations into fraud and corruption, reciprocal registering and recognition of judgments from Canada, the UK, the US and the Caribbean, and complex offshore trusts and estates litigation.

4. A copy of my *curriculum vitae* is attached as **Exhibit "A"**.

5. I have been retained on behalf of the Defendants as an independent expert to opine on the laws of Nevis. As an island in the twin-island state of St Kitts and Nevis, Nevis is also subject to the federal laws of St Kitts and Nevis.

B. Background

6. I have reviewed the Plaintiffs' Complaint filed in Case No. 502024CA000592XXXAMB Div: AE in the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida ("**Plaintiffs' Complaint**").

7. I understand from my review of the Plaintiffs' Complaint that:

- (a) On 22 January 2024, the Plaintiffs, JTC Skywave Investments LTD ("**JTC**") and Harald McPike ("**McPike**"), who is the ultimate beneficial owner of JTC, filed a complaint against the Defendants, Andrew N. Mart a/k/a Andrew Nathan Mart ("**Mart**"), Deanna Boies ("**Boies**"), Luminescence LLC (a Florida limited liability company), Luminescence LLC (an Illinois limited liability company), and Luminestra LLC (an Illinois limited liability company) seeking damages for (i) fraud and fraudulent inducement;¹ and (ii) civil conspiracy.²

¹ Plaintiffs' Complaint at paras 60-66.

² Plaintiffs' Complaint at paras 67-76.

(b) The Plaintiffs allege that:

- (i) Mart proposed that McPike should invest in Luminastra, Ltd, a non-party, to increase JTC's ownership stake from 48% to 56%.
- (ii) Mart represented to the Plaintiffs that Luminastra, Ltd wholly owned various subsidiary companies.
- (iii) JTC's agreement to invest in Luminastra, Ltd was memorialized through a Call Option Agreement between Luminastra, Ltd and JTC dated as of 27 September 2019 ("**Call Option Agreement**").³
- (iv) Mart and/or Boies fraudulently induced the Plaintiffs to send more than US\$10 million to accounts in the name of "Luminastra" based on Mart's and Boies' representations.
- (v) Mart and/or Boies subsequently diverted and misappropriated the amounts invested by JTC to other entities while never delivering shares evidencing JTC's increased equity interest in Luminastra, Ltd.

8. The Plaintiffs expressly plead and rely on the Call Option Agreement (referred to as the "JTC Call Option" in the Plaintiffs' Complaint) to support their allegations of fraudulent inducement and conspiracy, and specifically the allegation that Boies signed the Call Option Agreement to fraudulently induce the Plaintiffs to invest in Luminastra, Ltd and in furtherance of the Defendants' conspiracy.⁴

9. The Call Option Agreement contains the following governing law clause ("**Governing Law Clause**"):

This Call Option, and all matters arising out of or relating to this Call option, whether sounding in contract, tort, or statute will be governed by and construed in accordance with the internal laws of St. Kitts and Nevis, without giving effect to the conflict of laws provisions thereof to the extent such principles

³ Plaintiffs' Complaint at paras 24-26.

⁴ Plaintiffs' Complaint at paras 28, 29, 70.

or rules would require or permit the application of the laws of any jurisdiction other than those of St. Kitts and Nevis.
[emphasis added]

C. Questions to be answered in this Declaration

10. I have been asked to answer the following questions:

- (a) Are civil fraud, fraudulent inducement and civil conspiracy recognized causes of action in St Kitts and Nevis?
- (b) Is there a remedy available to the Plaintiffs in St Kitts and Nevis if they prove the torts pleaded in the Plaintiffs' Complaint?
- (c) Would the Eastern Caribbean Supreme Court (St Christopher or Nevis Circuit) ("**Court**")⁵ assert jurisdiction over the matters raised in the Plaintiffs' Complaint?

D. Assumptions in this Declaration

11. In making this Declaration, I am instructed that Luminastra, Ltd was incorporated pursuant to the Nevis Business Corporation Ordinance, 2017.

⁵ The Eastern Caribbean Supreme Court consists of a Court of Appeal and a High Court of Justice. The Court of Appeal is headquartered in Saint Lucia, and is itinerant, meaning it travels to each Member State and Territory. Each Member State and Territory has its own High Court of Justice. The member States and Territories are defined in Rule 2.4 of the *Eastern Caribbean Supreme Court Civil Procedure Rules, 2023 ("CPR 2023")*, which apply in each Member State and Territory. St Kitts and Nevis, together, is one of the Member States. In this particular case, a claim would be filed by the Plaintiffs – referred to as claimants – with the High Court of Justice, in the Nevis Circuit, in the Eastern Caribbean Supreme Court.

The Federation of St Kitts and Nevis is a constitutional democracy with an independent judiciary. The legal system is a common law system, which is generally based on British common law.

E. Conclusions

12. I have made the following conclusions in respect of the questions at paragraph 10 above:

- (a) Civil fraud, fraudulent inducement and civil conspiracy are recognized causes of action in St Kitts and Nevis.
- (b) The Court may award damages to the Plaintiffs if they prove the torts pleaded in the Plaintiffs' Complaint. In other words, damages are an available remedy.
- (c) The Court could assert jurisdiction over the matters raised in the Plaintiffs' Complaint.

13. I elaborate on my conclusions below.

F. Opinion

(a) ***Civil fraud, fraudulent inducement and civil conspiracy are recognized causes of action in St Kitts and Nevis***

14. The Plaintiffs' Complaint is grounded in two causes of action – fraud and civil conspiracy – both of which are recognized under the laws of Nevis.

15. Torts are recognized wrongs in St Kitts and Nevis. See, for example, the St Christopher and Nevis *Limitation Act*, Cap. 5:09 ("**Limitation Act**") at section 4, which provides limitation periods for actions founded on tort. St Kitts and Nevis also recognizes the specific causes of action of civil fraud (or fraudulent inducement) and civil conspiracy.⁶

⁶ *SM Life Ventures LLC v Susan Morrice et al*, NEVHC 2011/0162 at paras. 9-10; *Lindsay Fitz-Patrick Grant v Glen Fitzroy Phillip et al*, SKBHCV2010/0026 at para. 88.

(b) Damages are an available remedy

16. Damages are an available remedy to a claimant who successfully proves fraud or conspiracy.⁷ The Plaintiffs may seek the same relief sought in the Plaintiffs' Complaint from the Eastern Caribbean Supreme Court.

(c) The Court could assert jurisdiction over the matters raised in the Plaintiffs' Complaint

17. The Plaintiffs' Complaint is made in respect of a contract, namely, the Call Option Agreement, and is founded on the torts of civil fraud and conspiracy.

18. As set out above, the Call Option Agreement contains the Governing Law Clause. In my view, the causes of action pleaded in the Plaintiffs' Complaint are captured by the following language in the Governing Law Clause: "**all** matters arising out of or relating to this Call option, whether sounding in contract, tort, or statute will be governed by and construed in accordance with the internal laws of St. Kitts and Nevis ..." **[emphasis added]**.

19. The Judicial Committee of the Privy Council ("**Privy Council**"), the court of last resort for most⁸ of the Member States and Territories, including St Kitts and Nevis, recently confirmed that governing law is an important factor when determining the appropriate forum "because it is generally preferable that a case should be tried in the country whose law applies."⁹

20. In addition to the Governing Law Clause, it is my opinion that Nevis is an appropriate forum for the litigation of matters in the Plaintiffs' Complaint because the Complaint is premised on the Plaintiffs' entitlement, under the Call Option Agreement, of shares in a Nevis company. Matters concerning the organization and administration of a

⁷ *Dr. Miranda Fellows v Carino Hamilton Development Company Limited and Another*, HCVAP 2011/006 at para. 14 and *Sian Participation Corp. (In Liquidation) v Halimeda International Limited*, BVIHCMAP2021/0017 applying *Taylor v Van Dutch Marine Holdings Ltd and others*, [2019] EWHC 1951 (Ch) at para 289.

⁸ The Commonwealth of Dominica and Saint Lucia acceded to the appellate jurisdiction of the Caribbean Court of Justice in 2015 and 2023, respectively, both no longer appealing to the Privy Council.

⁹ *Livingston Properties Equities Inc and others v JSC MCC Eurochem and another*, 2020 UKPC 31 at para. 12.

company are generally treated as matters ideally suited to be determined in the place in which the company has been incorporated. Issues of the internal affairs and management of a company are best suited to the jurisdiction in which the company is incorporated.¹⁰

21. For all the foregoing reasons, it is my opinion that the Court would assert jurisdiction over the matters in the Plaintiffs' Complaint.

I declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 7th, 2024.



Frank E. Walwyn

¹⁰ *Craig Reeves v Platinum Trading Management Limited and ors*, [2007] EWHC 117 (Ch) at para. 20.

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Practice Areas

Administrative & Public Law

Caribbean & Offshore

Constitutional

Commercial Litigation

Directors' Duties

Fraud & Anti-Corruption

International/Cross Border

Litigation & Dispute

Resolution

Wills, Trusts & Estates

Frank Walwyn is known for his resourceful approach to litigating some of the most challenging business cases in Canada and the Caribbean.

Frank is a Fellow of the American College of Trial Lawyers and is repeatedly named as one of Canada's top lawyers in the area of Corporate and Commercial Litigation in *The Best Lawyers in Canada*, *Who's Who Legal*, *Benchmark Canada*, *the Guide to Canada's Leading Litigation Firms and Attorneys*, and *The Canadian Legal Expert Directory*, among many others. In March 2019, Frank was selected to receive a Law Society Medal, the highest honour bestowed by the Law Society of Ontario. In 2018, he was named as one of the Top 25 Most Influential in the justice system and legal profession in Canada by *Canadian Lawyer* magazine. Frank has also received the 2016 Ontario Bar Association Award for Distinguished Service, and a 2016 Lexpert Zenith Award as a champion of diversity and inclusion. Frank was a member of the Standing Strong Task Force struck by the President of Ryerson University to seek an understanding of Egerton Ryerson's life and legacy in the context of his involvement with Canada's Residential Schools, and to report on the role of commemoration in the community. The recommendations of this Task Force ultimately led to the renaming of Ryerson University as Toronto Metropolitan University, a change which was adopted in order to create a more inclusive campus culture and environment.

Frank appears as counsel on complex multi-jurisdiction litigation matters. He is licensed to practise law in Canada, and is also a member of the bars of Anguilla, Antigua and Barbuda, Barbados, Belize, the British Virgin Islands (BVI), Dominica, Grenada, Jamaica, St. Kitts and Nevis and St. Lucia. Frank is a Fellow of the Chartered Institute of Arbitrators. His advocacy covers a wide range of matters including challenges to restraint orders made pursuant to criminal Mutual Legal Assistance Treaties, multi-jurisdictional corporate disputes often involving shareholder rights and directors duties, forensic investigations into fraud and corruption, reciprocal registering and recognition of judgments from Canada, the UK, the US and the Caribbean, and complex offshore trusts and estates litigation. Many of the cases in which Frank is involved have led to important or precedent-setting judgments, including decisions in the areas of venue selection, procedural rights for appeals to the Privy Council, constitutional rights and freedoms, the court's jurisdiction to grant relief involving foreign elements, and

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electronic discovery.

Frank is an active member of many legal and community boards and initiatives. He is Past President of the Canadian Association of Black Lawyers (CABL), a member of the American College of Trial Lawyers (ACTL) International Committee, Complex Litigation Committee, Emil Gumpert Award Committee, Teaching Abroad Committee, Task Force on Fellow Engagement and Task Force on Mentoring. Frank is a former member of the Judicial Appointments Advisory Committee for appointments to the Ontario Court of Justice, and the Judicial Appointments Committee for the Ontario Superior Court of Justice – Greater Toronto Area. Frank is also a member of the Dean's Advisory Council for Queen's University Faculty of Law.

Frank is also a sought after speaker in Canada, the US and the Caribbean on legal topics, and is frequently quoted in the legal press and general media.

Frank's contributions to the legal profession and to the community have been formally acknowledged on many occasions, including: the Diamond Jubilee Medal presented by Command of Her Majesty The Queen in recognition of his contributions to Canada; the Law Society Medal—the highest honour of the Law Society of Ontario—in recognition of his significant contributions to the profession; The Law Society of Upper Canada's Lincoln Alexander Award in recognition of his commitment to the public and its well-being through community service; the Ontario Bar Association's Award for Distinguished Service, which recognizes exceptional career contributions and/or career achievements to jurisprudence in Ontario or Canada or to the legal profession, law or development of the law in Ontario or a significant law related benefit to residents of Ontario; the Alumni Achievement Award from Toronto Metropolitan University awarded to Toronto Metropolitan graduates who have excelled in their careers and have made a significant contribution to their profession and community; and the Vice Chancellor's Achievement Award from The University of the West Indies given to individuals of Caribbean heritage who are "rising stars" in Canada.

Called to the Bar	Education	Affiliations
<ul style="list-style-type: none"> • Ontario (1995) • Anguilla • Antigua and Barbuda • Barbados • Belize • British Virgin Islands (BVI) • Dominica • Grenada • Jamaica • St. Kitts and Nevis • St. Lucia 	<ul style="list-style-type: none"> • LL.B., Queen's University, 1993 • B.A., University of Toronto, 1987 • Certificate of Business Administration, Toronto Metropolitan University [formerly Ryerson University], 1989 • Certificate of Legal Education, The Eugene Dupuch Law School, Nassau, The Bahamas, 2000 	<ul style="list-style-type: none"> • Fellow of the American College of Trial Lawyers • Fellow, The Chartered Institute of Arbitrators (CIArb) • The Law Society of Ontario • The Advocates' Society • Canadian Association of Black Lawyers • Canadian Bar Association • Ontario Bar Association • Commercial Bar Association of England and Wales (Honorary Member) • National Bar Association (USA) • St. Kitts and Nevis Bar Association • Organization of Commonwealth Caribbean Bar Associations

Notable Mandates

Retained to represent a minority shareholder of a Nevis LLC worth over US\$500 million with respect to a claim for relief from unfair prejudice in hard-fought litigation in Nevis and the Commercial Division of the Eastern Caribbean Supreme Court in BVI, and in contemporaneous related actions in Belize and the US.

Retained to seek the discharge in Nevis of a worldwide freezing order made by the Eastern Caribbean Supreme Court affecting the assets of an Israeli law firm, a UK trust company and a Nevis trust company. The discharge application was successful and the retainer extended to defend the main action.

Acted for the trustees of a multi-million dollar estate in complex litigation to identify and secure estate assets, and to resist claims made against those assets. The litigation took place in Canada, and implicated jurisdictions included the Cayman Islands, The Bahamas, Bermuda, the USA and Canada.

Acted as co-counsel for many of the Roman Catholic hospitals across Ontario with respect to the restructuring of health care. This resulted in a significant number of reported decisions regarding administrative law and the Canadian Charter of Rights and Freedoms.

Acted as lead counsel for foreign investors in hard-fought, high-stakes litigation to recognize and register their Canadian judgment in the Caribbean. Currently engaged to execute on the judgment in the Caribbean. Conflict of laws issues included reciprocity in the recognition of foreign judgments, *forum non conveniens*, comity and *lex situs* challenges.

In the face of allegations of deletion and purging of electronic documents, successfully obtained one of the earliest e-discovery orders in Ontario compelling the opposing side to retain an independent computer forensic specialist to forensically copy and inspect all electronic media with documents relating to the matters at issue, and to list all electronic records obtained for review by counsel.

One of the team of counsel representing WestJet in its hard-fought litigation with Air Canada. Played an integral role in the motion which resulted in the first published case discussing and applying the Guidelines for the Discovery of Electronic Documents in Ontario: *Air Canada v. WestJet Airlines Ltd.* (2006), 267 D.L.R. (4th) 483 (Ont. S.C.J.).

Acted as counsel to a Taiwanese company in successfully resisting a Mareva injunction claim in Ontario which sought to enjoin the company from removing a significant shipment of electronic equipment from Canada. This is one of many matters where seeking or discharging various forms of injunctive relief such as Anton Piller, Mareva or Anti-Suit injunctions formed the basis of the retainer.

Acted for a Caribbean-based hedge fund in complex, multi-jurisdictional litigation in the Caribbean (lead counsel) and the UK (supporting counsel). Before resolution, the matter generated in excess of 20 applications, cross-applications and appeals in two jurisdictions in less than a 12 month period, including one application for leave to appeal to Her Majesty in Council (Privy Council).

Acted as counsel in the Caribbean to a Canadian receiver appointed over the assets of a Nevis-based bank in an action for disclosure of bank records. The action was commenced following the arrest of several individuals in the U.S. on felony tax charges arising from securities fraud involving offshore tax accounts, and following the freezing of the bank's assets by the British Columbia Securities Commission.

Retained as legal advisor to a team of forensic investigators engaged by the Attorney General of Trinidad and Tobago to assist the Special Anti-Corruption Investigation Bureau in investigations into certain contracts entered into by the Government of Trinidad and Tobago.

Numerous retainers, past and current, involving challenges to, and removals of, trustees over breach of trust and breach of fiduciary duty issues.

Reported Cases

Canada

Ariza Technology Inc. v. Jonsa Technologies Inc. (2008), 169 A.C.W.S. (3d) 184 (O.N.S.C.)

Metz v. Tremblay-Hall (2006), 53 C.C.E.L. (3d) 107 (Ont. S.C.J.)

Conrade Estate, Re (2005), 21 E.T.R. (3d) 140 (Ont. S.C.J.)

Oldfield v. Hewson (2005), 18 E.T.R. (3d) 318 (Ont. S.C.J.)

Air Canada v. WestJet Airlines Ltd. (2005), 20 C.P.C. (6th) 141 (Ont. S.C.J.)

Simanic v. Ross (2004), 71 O.R. (3d) 161; 9 C.P.C. (6th) 262 (S.C.J.)

Oldfield v. Hewson (2005), 14 E.T.R. (3d) 290 (Ont. S.C.J.)

Air Canada v. WestJet Airlines Ltd. (2004), 72 O.R. (3d) 669 (S.C.J.)

Leadbeater v. Ontario (2001), 16 C.P.C. (5th) 119; 87 C.R.R. (2d) 326 (Ont. S.C.J.)

McLennan v. McLennan (2000), 36 E.T.R. (2d) 145 (Ont. S.C.J.)

Russell v. Ontario (Health Services Restructuring Commission) (1999), 121 O.A.C. 283; 175 D.L.R. (4th) 185 (C.A.)

Russell v. Ontario (Health Services Restructuring Commission) (1998), 114 O.A.C. 280; 13 Admin. L.R. (3d) 196 (Div. Ct.)

Wellesley Central Hospital v. Ontario (Health Services Restructuring Commission) (1997), 103 O.A.C. 199; 151 D.L.R. (4th) 706; 3 Admin L.R. (3d) 137 (Gen. Div.)

Strategic Resources International Inc. v. Cimetrix Solutions Inc. (1997), 34 O.R. (3d) 416 (Gen. Div.)

Caribbean

Many of Frank's decisions in the Caribbean are in jurisdictions without formal legal reports. Several are listed below and are also available at: www.eccourts.org.

Dodge v. Simanic (1 September 2010), St. Christopher and Nevis SKBHCV 2001-0191 (High Court of Justice, Eastern Caribbean Supreme Court).

Dodge v. Simanic (11 October 2009), St. Christopher and Nevis SKBHCV 2001/0191 (High Court of Justice, Eastern Caribbean Supreme Court).

Reeves v. Platinum Trading Management Limited (25 February 2008), St. Christopher and Nevis HCVAP 2007/022 (Court of Appeal).

Golfview Development Limited v. St. Kitts Development Corporation (20 June 2007), St. Christopher and Nevis Civil Appeal No. 17 of 2004 (Court of Appeal).

St. Kitts Development Corporation v. Golfview Development Limited (31 March 2005), St. Christopher and Nevis Civil Appeal No. 15 of 2004 (Court of Appeal).

United Kingdom

Ross v. Bank of Commerce (Saint Kitts Nevis) Trust and Savings Association Ltd (in liquidation), [2010] UKPC 28.

Awards

- Recipient of the 2022 Eric Hoaken Excellence in Mentoring Award
- Recipient of the 2022 Toronto Metropolitan University G. Raymond Chang Outstanding Volunteer Award
- Recipient of the 2019 Law Society Medal, the Law Society of Ontario's highest award of recognition
- Recognized by *Canadian Lawyer* as one of the Top 25 Most Influential Lawyers in Canada, 2018
- Repeatedly recognized in *Who's Who Legal* as a leading lawyer in Professional Negligence matters
- Recognized in *Who's Who Legal: Canada* 2018 as a leading practitioner in Asset Recovery
- Repeatedly recognized by *Best Lawyers in Canada* as a leading lawyer in Corporate and Commercial Litigation, International Arbitration, International Trade and Finance Law, and Trusts and Estates
- Repeatedly recognized by *Canadian Legal Lexpert Directory* as a leading lawyer in Litigation – Corporate Commercial
- Repeatedly recognized in the *Lexpert Special Edition – Canada's Leading Litigation Lawyers*
- Repeatedly recognized in *Benchmark Canada, the Guide to Canada's Leading Litigation Firms and Attorneys*
- 2016 Lexpert Zenith Award for demonstrated excellence, action and thought leadership in ways that have advanced diversity and inclusion in the legal profession and in society at large.
- 2016 Ontario Bar Association Award for Distinguished Service (20 April 2016). The Ontario Bar Association's Award for Distinguished Service recognizes exceptional career contributions and/or career achievements by Members of the Ontario Bar Association
- Professional Excellence Award, Planet Africa (8 November 2014). The Planet Africa Professional Excellence Award is presented to individuals of African heritage in recognition of a career marked by hard work, excellence and professionalism, and who have made a profound difference in the lives of people of African heritage globally
- 2013 Lincoln Alexander Award (The Law Society of Upper Canada)
- 2012 Queen's Diamond Jubilee Award
- Vice Chancellor's Achievement Award, The University of the West Indies (UWI) (10 March 2012). The Vice Chancellor's Achievement Award is presented to individuals of Caribbean heritage who are rising stars in their organizations and have made outstanding achievements and contributions in their chosen fields nationally and internationally
- Alumni Award of Distinction, Toronto Metropolitan University [formerly Ryerson University] (16 February 2012), 2012 recipient of the Alumni Award of Distinction from Toronto Metropolitan University, conferred in recognition of a career marked by outstanding professional achievement and distinguished personal service in the community. The award is given to alumni who reflect and recognize, in action and deed, the importance of their education at Toronto Metropolitan and by their stature, integrity and ability, inspire faculty, staff and students
- Legal Excellence Award Recipient, Black Law Students' Association: Osgoode Hall Law School, York University (13 March 2010)
- 2008 Catalyst Award Recipient, The Black Law Students' Association of Canada (BLSAC) (23 February 2009)
- Award Recipient, Community Unity Alliance, Operation Black Vote and TNT Eagles (4 February 2006)
- Listed in *Who's Who in Black Canada 2: Black Success and Black Excellence in Canada* by Dawn P.

Williams (Toronto: D.P. Williams & Associates, 2006)

Professional Activities

- Member, Jamaica International Arbitration Centre Ltd (JAIAC) Panel of Neutrals
- Vice-Chair, Dean's Council, Queen's Faculty of Law, Queen's University
- Member, Egerton Ryerson Presidential Standing Strong (Mash Koh Wee Kah Pooh Win) Task Force
- Fellow, American College of Trial Lawyers (ACTL) – The American College of Trial Lawyers comprises the best of the trial bar from the United States and Canada
- Current member of the following committees of the American College of Trial Lawyers (ACTL): International Committee; Complex Litigation Committee; Emil Gumpert Award Committee; Teaching Abroad Committee; Task force on Mentoring; and Task Force on Fellow Engagement
- Fellow, Litigation Counsel of America (LCA)
- Diversity Liaison – Ontario Committee, American College of Trial Lawyers (ACTL)
- Member, Dean's Council, Queen's Faculty of Law, Queen's University
- Member, Law and Business Advisory Council at the Ted Rogers School of Management at Toronto Metropolitan University
- Member, Awards and Ceremonial Committee at Toronto Metropolitan University
- Former Member, Judicial Appointments Advisory Committee (JAAC), Ontario Court of Justice, Province of Ontario (2009–2018)
- Former Member, Judicial Advisory Committee for Federal Judicial Appointments, Superior Court of Justice – Greater Toronto Area (2013–2015)
- Former Distinguished Visiting Scholar and Former Member of the Dean's Advisory Council, The G. Raymond Chang School of Continuing Education, Toronto Metropolitan University (2012–2015)
- Listed in *Who's Who in Black Canada 2: Black Success and Black Excellence in Canada* by Dawn P. Williams (Toronto: D.P. Williams & Associates, 2006)
- Member, Ontario Bar Association (OBA)
- Past President, Canadian Association of Black Lawyers (CABL)
- Former Member, International Training Committee, The Advocates' Society
- Former Director, The Advocates' Society
- Past Board Member, Community Legal Education Ontario (CLEO)
- Past Board Member, Sir William Campbell Foundation (SWCF)
- Member, Steering Committee of DiverseCity: The Toronto Leadership Project, which is aimed at diversifying Toronto's leadership landscape
- Past Member, Equity Advisory Group (EAG) (2006–2009)
- Past Member, The Law Society of Upper Canada's Treasurer's Liaison Committee
- Past Member, Chief Justice of Ontario's Advisory Committee on Professionalism
- Past Member, Attorney General of Ontario's Selection Committee for the David W. Mundell Medal (2009–2012)

Community Involvement

Speaker, *Planting the Seeds – Recognizing the Contributions that Individuals have made in Advancing the Cause of Equality within a Diverse Community*, Nelson Mandela Festival at Cedarbrae Public Library, 17 July 2015

Speaker, R.I.S.E.: *Reaching to Strive, Innovate, and Empower*, 16th Annual University of Toronto Black Students' Association High School Conference, Toronto, 5 May 2015

Speaker, Looking Forward – Leveraging Diversity, Graduation Ceremony of third cohort of the Internationally Trained Lawyers Program, University of Toronto Faculty of Law, 29 April 2013.

Speaker, Caribbean Studies Luncheon, University of Toronto, New College, Toronto, 20 November 2012.

Speaker, Passages to Canada Talk to Grades 5-8, Holy Name Catholic School, Toronto, 14 February 2012.

Speaker, Black History Month Assembly, James Cardinal McGuigan High School, Toronto, 22 February 2011.

Speaker, *Equity and Diversity Distinguished Speaker Series*, Osgoode Hall, West Indian Law Students Association (WILSA), 17 January 2011.

Participant, *Beyond the BRICS: Developing Economies of the Caribbean & South*, Toronto CFA Society, 20 October 2010

Toronto Police Service Black History Month Kick-Off Celebration, "The Recollection of How, When and Where it all Happened", 28 January 2010.

Presenter, The Slam Dunk Career & Mentorship Fair, Durrant Basketball in association with the York District School Board, Milliken Mills High School, 30 May 2009.

Participant, Consultation Session on Law Society Governance, Governance Task Force ☐ The Law Society of Upper Canada, 20 May 2009.

Sharing Your Story, Black History Month Presentation to Students at General Crerar Public School, 9 February 2009.

Speaker, I'M POSSIBLE, The University of Toronto's Black Students' Association 10th Annual High School Conference, 16 April 2009.

Toronto Police Service Black History Month Kick-Off Celebration, 31 January 2007.

Promoting Economic Action and Community Health (PEACH) Sustainability Think Tank Meeting, 18 January 2007.

Tropicana Community Services Event for Youth in Scarborough, 18 October 2006.

Participant, Review of the System of Complaints by the Public Regarding the Police by The Hon. Patrick J. LeSage, Q.C., Summer 2004.

Expert Panel Member, Delphi Process, New Skills Training Program for Bar Admission in Ontario, The

Law Society of Upper Canada, Summer-Fall 2004.

Member, Consultation Group on Bar Admission Course Reform, The Law Society of Upper Canada, 4 February 1999.

Speaking Engagements

- Co-chair, "2023 Spring Symposium", The Advocates' Society, Toronto, ON, April 26, 2023
- Facilitator, Judicial Settlement and Case Management Conference 2022, The Judicial Education Institute (JEI) of the Eastern Caribbean Supreme Court (ECSC), Grenada, 12 – 14 September 2022
- Coach, Do a Trial!, The Advocates' Society, Toronto, 17 September 2022
- Skills Instructor, Summer Trial Advocacy College, The Advocates' Society, Toronto, 16 and 17 June 2022
- Guest Speaker, Success on Bay Street - from 30,000 ft in the air, Queen's University, Faculty of Law, Kingston, 15 November 2021
- Judge, Julius Alexander Isaac Moot, Black Law Students' Association of Canada (BLSA Canada), Webinar, 4 and 5 February 2022
- Panelist, Osgoode Hall Law School, The Civil Litigator's Survival Guide to Evidence, Webinar, 21 January 2022
- Speaker, OECS Bar Association, 2nd Virtually Together Conference: Redefine. Reshape. Restructure, Webinar, 17 September 2021
- Coach, "Do a Trial!", The Advocates' Society, Webinar, 10 September 2021
- Speaker, "How Do I Get That Tweet Admitted: Litigating in the Age of Social Media", Virtually Together Conference, OECS Bar Association, Online, September 17, 2021
- Speaker, Ontario Bar Association | Foundations in Judicial Competencies: Certificate Program Session 1: The Judicial Application and Appointment Process, Webinar, 7 April 2021
- Guest Speaker, GO Talent's Online Career Fair | Finding Success in Canada, Webinar, 10 March 2021
- Featured Speaker, Canada Life's Black History Month Special Event, Webinar, 23 February 2021
- Mentor, Virtual Mentoring: Built to Last, The Advocates' Society, Webinar, 10 February 2021
- Judge, Julius Alexander Isaac Moot, Black Law Students' Association of Canada (BLSA Canada), Webinar, 5 and 6 February 2021
- Speaker, "Have Zoom, will... practise? Not so fast...", Organization of Commonwealth Caribbean Bar Associations (OCCBA), 29 October 2020
- Co-Chair, Equality, Diversity and Inclusion for Litigators, The Advocates' Society, Webinar, 8 October 2020
- Speaker, "Law and Borders: A Discussion on International Business Law, From Canada to the Caribbean", Toronto Metropolitan University Law and Business Student Association, Webinar, 15 July 2020
- Panelist, "So You Want to be a Judge?", Webinar, Toronto Lawyers Association, Toronto, 7 July 2020
- Panelist, Legal Ethics and Professionalism, Queen's University, Faculty of Law, Kingston, 4 September 2019
- Co-Chair, Equality, Diversity and Inclusion – Leading by Example, The Advocates' Society,

Toronto, 3 October 2019

- Presenter, "Technology, Insider Trading and Client Confidentiality: Managing your Professional Obligations", Jamaican Bar Association (JAMBAR), Kingston, Jamaica, 18 May 2019
- Mentor, Women's Speed Mentoring: The Track To Success, OBA Women Lawyers Forum in collaboration with Canadian Association of Black Lawyers, Federation of Asian Canadian Lawyers and South Asian Bar Association, Toronto, 10 April 2019
- Panel Chair, International Business Law and Inclusive Economic Development: "Law as an Engine for Development", Workshop on International Law, Department of International Law of the Secretariat for Legal Affairs of the Organization of American States, the Faculty of Law, Queen's University (Kingston, Canada) and the Faculty of Law, University of West Indies, Cave Hill Campus (Barbados), Barbados, 29–30 March, 2019
- Presenter, Be Inspired! Celebrating Trailblazing Women in Law – Men Who Build Bridges for Women in Law: Let's Hear it for The Men, Women in Law Jamaica Conference, Women in Law in association with Henlin Gibson Henlin, Jamaica, 8-9 March 2019
- Speaker, "Who is your client?", Professionalism Issues Seminar, WeirFoulds LLP, Toronto, 27 February 2019
- Presenter, Technology, Insider Trading and Client Confidentiality: Managing your Professional Obligations, Jamaican Bar Association (JAMBAR), Jamaica, 23 February 2019
- Presenter, Being a More Effective Advocate: In and Out of Court, The BVI General Legal Council and the American College of Trial Lawyers, British Virgin Islands, 2 November 2018
- Speaker, Fall Convention 2018 – Multi-jurisdictional Disputes, The Advocates' Society, California, 9 November 2018
- Panelist, "Leverage your Queen's JD – Career Advice from LAW'93", Queen's University, Faculty of Law, Kingston, 20 October, 2018
- Co-Chair, Equality, "Diversity and Inclusion – Leading by Example", The Advocates' Society, Toronto, 25 September 2018
- Speaker, "Whose fault is it that I didn't know it wasn't you? How to represent your client in a cyber authentication case", OECS Bar Association, 15th Regional Law Conference, St. Kitts, September 14, 2018
- Coach, Civil Litigation Skills Certificate Program: Do a Trial!, The Advocates' Society, Toronto, 14 April 2018
- Mentor, Speed Mentoring: The Track to Success, OBA Women Lawyers Forum in collaboration with Canadian Association of Black Lawyers, Federation of Asian Canadian Lawyers and South Asian Bar Association, Toronto, 4 April 2018
- Co-Chair, Trial from A to Z, The Advocates' Society, Toronto, 2 March 2018
- Judge, The Wilson Moot 2018, Toronto, 24 February 2018
- Mentor, BLSA Speed Mentoring Event, Black Law Students' Association of Canada – Queen's Chapter, Toronto, 22 February 2018
- Judge, Julius Alexander Isaac Diversity Moot, Black Law Students' Association of Canada (BLSA Canada), Toronto, 3 February 2018
- Panelist, "Collecting Legal Fees", Canadian Association of Black Lawyers (CABL) 2017 Annual Conference, Toronto, 6 October 2017
- Keynote Speaker, Where to next? Musings of a multijurisdictional litigator", National Bar Association, International Law Section Luncheon, Toronto, 2 August 2017
- Speaker, "What it Takes to Become a Judge", Toronto Lawyers Association, Toronto, ON, June 7, 2017
- Speaker, "The Role of Public-Private Partnership in Infrastructural Development", Punuka

Annual Lecture 2017, April 27, 2017

- Co-Presenter, "Practical Considerations for Lawyers Involved in or Managing Multi-Jurisdictional Litigation", Canadian Bar Association, April 18, 2017
- Coach, Civil Litigation Skills Certificate Program: Do a Trial!, The Advocates' Society, Toronto, 1 April 2017
- Panelist, 2017 Toronto Courthouse Series: Telling a Compelling Story, The Advocates' Society, Toronto, 23 February 2017
- Panelist, Discussing Diversity on Bay Street, The Osgoode Diversity Council & JD/MBA Association, Toronto, 16 February 2017
- Co-Chair, Civil Litigation Skills Certificate Program: Cross-examinations, The Advocates' Society, Toronto, 20 January 2017
- Presenter, Charting the Way Forward: UNCITRAL Model Law to the World, Mona International Centre for Arbitration and Mediation (MICAM), Jamaica, 5 November 2016
- Moderator, Virtual Wealth – The Bitcoin, Opportunities, Risks & Its Implications for Banking Regulation in Jamaica, Jamaican Bar Association (JAMBAR), Jamaica, 19 November 2016
- Skills Instructor, *Ministry of the Attorney General In-House Training: Effective Examination-in-chief and Cross-examination*, The Advocates' Society, Hamilton, 15 June 2016
- Co-Presenter, *Commonly-Encountered Evidentiary Conundrums and Their Solutions*, Osgoode Hall Conference, Toronto, 14 April 2016
- Coach, *Civil Litigation Skills Certificate Program: Do a Trial!*, The Advocates' Society, Toronto, 9 April 2016
- Moderator, *2016: Promoting Diversity in Leadership*, Panel discussion hosted by The Student Federation of the University of Ottawa, The University of Ottawa Black Student Leaders Association and The University of Ottawa Black Law Students Association, Ottawa, 26 February 2016
- Panellist, *Diversity Panel at Osgoode Law School*, Osgoode Law School at York University, Toronto, 22 February 2016
- Keynote Speaker, *Raising The Bar: Striding Toward Excellence*, Black Law Students Association of Canada, 25th Annual National 2016 Conference, Toronto, 12 February 2016

Media Mentions:

- ["Interview with Frank Walwyn", Friends Who Argue, The Advocates' Society, October 19, 2023.](#)

Publications

- A Discussion on the Delivery of Infrastructure through Public-Private Partnerships: the Importance of Policy Architecture – PUNUKA Annual Lecture, Lagos, Nigeria, May 31, 2017
- Quiz: Litigating in the Caribbean, November 06, 2015
- International Transport Quiz, June 01, 2010
- Avoiding Black Holes and Hollow Victories: Cross-Border Litigation Comes of Age, June 23, 2009
- Avoiding False Starts and Hollow Victories: Equipping Yourself for Cross-Border Litigation, February 11, 2009
- The rising risks of the e-document evolution, March 01, 2007